IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 28TH FEBRUARY 2007 / 9TH PHALGUNA 1928

Bail Appl..No. 1335 of 2007()

C.R. NO. 6/06 OF PATHANAPURAM EXCISE RANGE

: PETITIONER/2ND ACCUSED

ANANDAN PILLAI, S/O. GOVINDAN PILLAI,
AGED 54, KALLINGAL PUTHEN VEEDU,
KANNIMEL MURI, PATTAZHI.

BY ADV. SRI.C.S.MANILAL

RESPONDENTS: COMPLAINANT

THE STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 28/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Bail Application No. 1335 of 2007

DATED: 2nd January, 2007

O R D E R

Petitioner who is the second accused in C.R. No. 6/06 of Pathanapuram Excise Range for offences punishable under Sections 55 (a) and 55(i) of the Abkari Act, seeks anticipatory bail.

2. Consequent on the non-appearance of petitioner in C.P. 143/06 pending before the J.F.C.M. Punalur, non-bailable warrants of arrest are pending against the petitioner. Anticipatory bail cannot be granted to nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioner should not surrender before the Magistrate concerned and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate concerned and files an application for regular bail within 10 days from today, the same shall be considered and disposed of preferably on the same date on which it is filed after considering the explanation offered by the petitioner for his previous non-appearance..

With the above observation this application is disposed of.

V.RAMKUMAR,

JUDGE.

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